

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STEPHEN R. CARVER,

Plaintiff,

v.

Case No. 12-mc-51233

MORTGAGE SERVICES, III, LLC,

HON. AVERN COHN

Defendant.

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**ORDER DENYING PETITION FOR RECONSIDERATION (Doc. 3)**

I.

Plaintiff Stephen R. Carver, proceeding pro se, filed a paper styled “Motion for Discovery w/o Hearing” with several attachments. The paper, which names Carver as plaintiff and “Mortgage Services, III, LLC” as defendant, was accepted by the Clerk’s office and opened as miscellaneous case. Attached to the paper were several exhibits which apparently were related to a foreclosure. The Court dismissed the case for lack of subject-matter jurisdiction and for failure to state a claim. (Doc. 2) Before the Court is plaintiff’s motion for reconsideration. For the reasons that follow, the motion is DENIED.

II.

E.D. Mich LR 7.1(h) governs motions for reconsideration, providing in relevant part:

Generally, and without restricting the court’s discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by implication.

The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

E.D. Mich. LR 7.1(h)(3).

III.

Plaintiff has not satisfied this standard. In his motion, plaintiff says it was not his intention to file a case, but rather wanted to “place his file for review” before the Court. The Court does not “review files.” It can only act if there is a case filed over which the Court has jurisdiction and in which there are discrete claims asserted. Plaintiff’s statement that he never intended to file a case further supports the Court’s decision to dismiss this action.

SO ORDERED.

S/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: October 19, 2012

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, October 19, 2012, by electronic and/or ordinary mail.

S/Julie Owens  
Case Manager, (313) 234-5160